

03/21/01

03-23-a

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PTO/SB/05 (4/98)

Please type a plus sign (+) inside this box ---> ☐

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. P313641

First Inventor or Application Identifier

Steven H. Rice

Title

METHOD AND APPARATUS FOR A DEVICE TO CREATE A MUSICAL NOISE

Express Mail Label No.

EL740968349US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington DC 20211

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification [Total Pages 28]
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]

4. Oath or Declaration [Total Pages 33]

- a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)

☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- * Small Entity
13. ☒ Statement(s) ☐ Statement filed in prior application,
(PTO/SB/09-12) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: Transmittal Letter w/ Express
Cert. of Mailing

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 1

Prior application in formation: Examiner

Group I Art Unit

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

22931

or ☐ Correspondence address below

(Insert Customer No or Attach bar code label here)

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Michael F. Hughes

Registration No. (Attorney/Agent)

41,084

Signature

Date

March 21, 2001

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2000</h2> <p style="font-size: small; margin: 5px 0;">Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT		Application Number	Filing Date
\$ 562.00		First Named Inventor	Examiner Name
		Group / Art Unit	Attorney Docket No.
		P313641	

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment to the account stated below.</p> <p>Deposit Account Number: 08-3260</p> <p>Deposit Account Name: _____</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code (\$)</th> <th style="text-align: left;">Small Entity Fee Code (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130 205 65</td><td></td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127 50 227 25</td><td></td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139 130 139 130</td><td></td><td>Non-English specification</td><td></td></tr> <tr><td>147 2,520 147 2,520</td><td></td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112 920* 112 920*</td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113 1,840* 113 1,840*</td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115 110 215 55</td><td></td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116 380 216 190</td><td></td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117 870 217 435</td><td></td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118 1,360 218 680</td><td></td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128 1,850 228 925</td><td></td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119 300 219 150</td><td></td><td>Notice of Appeal</td><td></td></tr> <tr><td>120 300 220 150</td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121 260 221 130</td><td></td><td>Request for oral hearing</td><td></td></tr> <tr><td>138 1,510 138 1,510</td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140 110 240 55</td><td></td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Michael F. Hughes	Registration No. (Attorney/Agent)	41,084
Signature		Telephone	(360)647-1296
		Date	March 21, 2001

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PATENT, TRADEMARK
& COPYRIGHT LAW

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

March 21, 2001
Docket No. P313641

Sir:

Transmitted herewith for filing is a Patent application:

Applicant: Mr. Steven H. Rice
Title: METHOD AND APPARATUS FOR A DEVICE TO CREATE A MUSICAL
NOISE

**Application is claiming priority benefit under 35 U.S.C. §119(e) of U.S. Serial
Number(s) and Filing Date(s):**

<u>Serial Number</u>	<u>Filing Date</u>
60/191,005	03/21/00

1. Enclosed are:

- a) Certificate of Express Mailing requesting treatment under 37 CFR 1.10,
Express Mail Filing Date of March 21, 2001, Label No. EL740968349US;
- b) 1-page Utility Patent Application Transmittal;
- c) 1-page Fee Transmittal in duplicate form;
- d) Executed Combined Declaration and Power of Attorney;
- e) IDS PTO-1449 w/ Cited References;
- f) Specification, claims and abstract (28 pages total: 18 pages of specification,
9 pages of claims, 1 page of abstract);
- g) 5 sheets of informal drawings;
- h) A check in the amount of \$ 562.00 for Filing Fee; and
- i) A stamped return receipt postcard.

EXPRESS MAIL CERTIFICATE OF MAILING

37 C.F.R. §1.10

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APPLICATION, Assistant Commissioner for Patents,
Washington, DC 20231, on the date shown below.

Express Mail No: EL740968349US

Signature: Robin Fry

Print Name: Robin Fry
DATE MAILED: March 21, 2001